

D-R-A-F-T
ORDINANCE NO. 2005-

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF SANTA CLARITA, CALI-
FORNIA, AMENDING THE SANTA CLARITA
MUNICIPAL CODE BY ADDING A NEW
CHAPTER 15.46, CONSTRUCTION AND
DEMOLITION MATERIALS MANAGE-
MENT, TO DIVISION 3 OF TITLE 15 OF THE
SANTA CLARITA MUNICIPAL CODE**

WHEREAS, The California Integrated Waste Management Act of 1989, commonly referred to as Assembly Bill 939 (AB 939), codified in substantial part at Public Resources Code § 40000 *et. seq.*, requires each local jurisdiction in the state to divert 50 percent of discarded materials (base year 1990, state methodology) from disposal in landfills and transformation facilities;

WHEREAS, Pursuant to California Constitution Article 11, § 7, as implemented in part by Public Resources Code § 40059, and Santa Clarita Municipal Code Chapter 15.44, the City has the authority to regulate solid waste generated in the City;

WHEREAS, Construction and Demolition (C&D) Materials and Inert Wastes constitute a substantial percentage of the waste stream in the State and these materials have significant potential for waste reduction and recycling;

WHEREAS, The reuse and recycling of C&D Materials and removal of Inert Wastes from the waste stream are essential to further the City's efforts to reduce waste and comply with AB 939 goals;

WHEREAS, waste reduction, reuse and recycling of C&D Materials reduce the amount of C&D Materials transported for disposal in landfills and transformation facilities, increase site and worker safety, and are cost effective;

WHEREAS, Except in unusual circumstances, it is feasible to divert at least fifty percent (50%) of all C&D Materials and Inert Wastes from Construction, Demolition, grading and Renovation Projects;

WHEREAS, To ensure compliance with this Chapter and to ensure that those who comply with this Chapter are not placed at a competitive disadvantage, it is necessary to impose a Diversion Security Deposit requirement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA CLARITA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds, determines and declares as follows:

Division 3, Solid Waste, of Title 15 of the Santa Clarita Municipal Code is amended by adding a new Chapter 15.46, "CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT," to read in its entirety as follows:

"CHAPTER 15.46

CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT

PART 1

DEFINITIONS

Sections:

15.46.010 DEFINITIONS

15.46.010. DEFINITIONS. For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this Chapter, unless clearly inapplicable. Words and phrases not ascribed a meaning by this Chapter shall have the meaning ascribed by Chapter 15.44 of this Code, if defined therein, and if not, by Division 30, Part 1, Chapter 2 of the Public Resources Code, §§ 40000, *et seq.*, and the regulations of the California Integrated Waste Management Board, if defined therein, and if not, to the definitions found in the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6901, *et seq.* and the regulations implementing RCRA, as they may be amended from time to time.

APPLICANT means any person, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever required to apply to the Building & Safety Division of the Building and Engineering Department for an applicable permit to undertake any Covered Project, as defined below, within the City. An Applicant must comply with this Chapter.

CONSTRUCTION means the building of any facility or structure or any portion thereof including any tenant improvements to a previously unoccupied existing facility or structure. "Construction" does not include a project limited to interior plumbing work, electrical work or mechanical work, or any combination of them.

CONSTRUCTION AND DEMOLITION MATERIALS or C&D MATERIALS means used or commonly discarded materials removed from premises of a Covered Project during Construction, grading, remodeling, repair, Demolition, Deconstruction or Renovation resulting from Construction, Renovation, grading, remodeling, repair, deconstruction or Demolition operations on any pavement, house, commercial building, or other structure, or from landscaping. Such materials include, but are not limited to, Inert Waste (including rock, concrete, brick,

sand, soil, ceramics and cured asphalt), gravel, plaster, gypsum wallboard, aluminum, glass, plastic pipe, roofing material, carpeting, wood, masonry, trees, stumps, remnants of new materials, including paper, plastic, carpet scraps, wood scraps, scrap metal, building materials, packaging and rubble resulting from Construction, remodeling, Renovation, repair and Demolition operations on pavements, houses, commercial buildings and other structures, and grading.

CONSTRUCTION AND DEMOLITION DIVERSION SECURITY DEPOSIT or DIVERSION SECURITY DEPOSIT means cash or letter of credit in a form acceptable to the City, submitted to the City pursuant to Part 4 of this Chapter.

CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN or C&DMMP, means a completed C&DMMP form, approved by the City for the purpose of compliance with this Chapter, submitted by the Applicant for any Covered Project.

COVERED PROJECT means a project for which a building, Demolition, grading or other similar permit is required by this Code. See “Exempt Project,” “Project” and Part 2, below.

CONVERSION RATE means the rate set forth in the standardized Conversion Rate Table approved by the City pursuant to this Chapter for use in estimating the volume or weight of materials identified in a Construction and Demolition Materials Management Plan.

DECONSTRUCTION means a process to dismantle or remove useable materials from structures, in a manner which maximizes the recovery of building materials for reuse and recycling and minimizes the amount of waste transported for disposal in landfills and transformation facilities.

DEMOLITION means the destruction, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.

DIVERT or DIVERSION means activities which reduce or eliminate the amount of C&D Material from disposal in a landfill or transformation facility. See Public Resources Code § 40124.

DIVERSION REQUIREMENT means the diversion of at least fifty percent (50%), by weight, of the Construction and Demolition Materials, other than Inert Waste, generated by a Covered Project by reuse or recycling, and that at least fifty percent (50%) of the Inert Waste is removed from the solid waste stream and not disposed of in a solid waste landfill, unless the Applicant has been granted an exemption pursuant to Part 7 of this Chapter. If the Applicant has been granted an exemption, the Diversion Requirement shall be the maximum Feasible diversion rate established by the Director of Field Services, or the Director’s Designee for the Project.

EXEMPT PROJECT shall have the meaning set forth in Part 2 of this Chapter.

FEASIBLE shall have the meaning ascribed by Public Resources Code § 21061.1, as it may be amended.

FIELD SERVICES DIRECTOR or Director means the City of Santa Clarita staff person holding that title.

INERT WASTE shall have the meaning ascribed by Public Resources Code § 41821.3(a)(1), as it may be amended.

PROJECT means any activity for which a building, Demolition, grading or other similar permit is required. See also “Covered Project,” above.

RECYCLING shall have the meaning ascribed by Public Resources Code § 40180, as it may be amended.

RENOVATION means any change, addition, or modification in an existing structure that requires a building permit or Demolition permit but does not include a project limited to interior plumbing work, electrical work or mechanical work.

REUSE means further or repeated use of Construction and Demolition Materials or Inert Waste.

SALVAGE means the controlled removal of Construction or Demolition Materials from a permitted Construction or Demolition site for the purpose of recycling, reuse, or storage for later recycling or reuse.

PART 2

COVERED PROJECTS

Sections:

- 15.46.200 COVERED PROJECTS
- 15.46.210 EXEMPT PROJECTS
- 15.46.220 CITY-SPONSORED PROJECTS
- 15.46.230 COMPLIANCE AS A CONDITION OF APPROVAL

15.46.200 COVERED PROJECTS. Except as otherwise provided in this Code, each Applicant for a permit required by this Code for a Covered Project also shall complete and submit a Construction and Demolition Materials Management Plan (“C&DMMP”), to the City’s Director of Field Services, or the Director’s Designee unless the project is an Exempt Project, as defined below. No permit for a Covered Project shall be issued by the Division of Building & Safety unless the Applicant for the permit has submitted to the Division of Building & Safety a Construction and Demolition Materials Management Plan approved by the City’s Director of Field Services, or the Director’s Designee, or the project is an Exempt Project as defined in § 15.46.210, below. Review of applications for permits for

Covered Projects by the Division of Building & Safety may be concurrent with the review of the C&DMMP by the City's Director of Field Services, or the Director's Designee.

15.46.210 EXEMPT PROJECTS. No Construction and Demolition Materials Management Plan or Construction and Demolition Materials Management Plan Security Deposit shall be required for any of the following:

- A. Work for which a building permit, Demolition permit, and grading permit is not required;
- B. Any new residential construction project valued at less than \$500,000 dollars by the City's Building Official;
- C. Any new non-residential construction project valued at less than \$500,000 by the City's Building Official;
- D. Residential alterations valued at less than \$100,000 by the City's Building Official;
- E. Non-residential alterations valued at less than \$100,000 by the City's Building Official;
- F. Projects for which only a plumbing permit, electrical permit or mechanical permit, or any combination of them, is required;
- G. Roofing projects that do not include significant fifty percent (50%) removal of the existing roof;
- H. Installation of swimming pools or spas; or
- I. Demolition or Construction required to protect public health or safety in an emergency, as defined in Public Resources Code § 21060.3, as it, may be amended.

15.46.220 CITY-SPONSORED PROJECTS. All of the City's Construction, Demolition, and Renovation Projects, except as provided below, and regardless of cost, shall be considered "COVERED PROJECTS" for the purposes of this Chapter and shall be subject to all applicable provisions of this Chapter. Prior to the start of any City Construction or Demolition activity, a Construction and Demolition Materials Management Plan shall be prepared by the Director of Building and Engineering or Director's designee. The City is not required to submit a Diversion Security Deposit for City-sponsored Covered Projects. City Projects limited to interior plumbing work, electrical work or mechanical work are not Covered Projects. City Demolition or Construction required to protect public health or safety in an emergency, as defined in Public Resources Code § 21060.3, as it may be amended, is not a Covered Project.

15.46.230 COMPLIANCE AS A CONDITION OF APPROVAL. Compliance with the provisions of this Chapter shall be a condition of approval of any permit for a Covered Project.

PART 3

CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLANS

Sections:

- 15.46.300 CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLANS
- 15.46.310 CALCULATING VOLUME AND WEIGHT OF C&D MATERIALS
- 15.46.320 DECONSTRUCTION

15.46.300 CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLANS. Each Applicant for a permit for any Covered Project shall complete and submit to the Building & Safety Division a Construction and Demolition Materials Management Plan (“C&DMMP”), approved by the City’s Director of Field Services, or the Director’s Designee, on a C&DMMP form approved by the City for this purpose. The completed C&DMMP, at a minimum, shall indicate all of the following: (1) the estimated weight of Project C&D Materials, by materials type, to be generated; (2) the maximum weight of C&D Materials that it is Feasible to divert, considering cost, energy consumption and delays, via reuse or recycling; (3) the vendor or facility that the Applicant proposes to use to collect, divert, market, reuse or receive the C&D Materials; (4) the estimated weight of residual C&D Materials that would be transported for disposal in a landfill or transformation facility; and (5) the estimated weight of Inert Waste to be removed from the waste stream and not disposed of in a solid waste landfill.

15.46.310 CALCULATING VOLUME AND WEIGHT OF C&D MATERIALS. In estimating the volume or weight of materials identified in the C&DMMP, the Applicant shall use standardized Conversion Rates approved by the City for this purpose.

15.46.320 DECONSTRUCTION. In preparing the C&DMMP, Applicants for permits involving the removal of all or part of an existing structure shall consider Deconstruction, to the maximum extent Feasible, and shall make the materials generated thereby available for salvage prior to being transported for disposal in a landfill or transformation facility.

PART 4

CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN DIVERSION SECURITY DEPOSITS

Sections:

15.46.400 CONSTRUCTION AND DEMOLITION DIVERSION SECURITY DEPOSITS

15.46.400 CONSTRUCTION AND DEMOLITION DIVERSION SECURITY DEPOSITS. Each Applicant for a permit for a Covered Project, except the City, shall submit a Construction and Demolition Diversion Security Deposit with the Construction and Demolition Materials Management Plan. The amount of the Diversion Security Deposit shall be calculated as the lesser of three percent (3%) of estimated total Project cost or \$50,000. The City's Director of Field Services, or the Director's Designee may waive the Diversion Security Deposit if the Diversion Security Deposit required pursuant to this Section would be fifty dollars or less.

PART 5

CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN REVIEW

Sections:

15.46.500 APPROVAL 15.46.510 DISAPPROVAL

15.46.500 APPROVAL. Notwithstanding any other provision of this Code, no permit shall be issued for any Covered Project unless the City's Director of Field Services, or the Director's Designee has approved the C&DMMP. The Director of Field Services, or the Director's Designee shall approve a C&DMMP if the Director of Field Services, or the Director's Designee first determines that all of the following conditions have been met: (1) the C&DMMP provides all of the information set forth in Part 3 of this Chapter; (2) the C&DMMP indicates that the Diversion Requirement will be met; and (3) the Applicant has submitted an appropriate Diversion Security Deposit in compliance with Part 4 of this Chapter.

If the Director of Field Services, or the Director's Designee determines that these three conditions have been met, the Director of Field Services, or the Director's Designee shall mark the C&DMMP "Approved," return a copy of the C&DMMP to the Applicant, and notify the Division of Building & Safety of the Building and Engineering Department that the C&DMMP has been approved.

Approval shall not be required if Construction, Demolition or grading is required to protect public health or safety in an emergency, as defined in Public Resources Code § 21060.3.

15.46.510 DISAPPROVAL. If the City's Director of Field Services, or the Director's Designee determines that the C&DMMP is incomplete or fails to indicate that at least fifty percent (50%) of all C&D Materials generated by the Project will be reused or recycled, and fifty percent (50%) of all Inert Waste is to be removed from the waste stream and not disposed of in a solid waste landfill, the Director of Field Services, or the Director's Designee shall either: (1) Return the C&DMMP to the Applicant marked "Denied," including a statement of reasons, and so notify the Division of Building & Safety of the Building and Engineering Department, which shall then hold the Project's permit, or (2) Return the C&DMMP to the Applicant marked "Further Explanation Required," including a statement of reasons, and so notify the Division of Building & Safety, which shall then hold the Project's permit. If, during the course of the Project, the Applicant determines that the estimated tonnage of C&D Material and Inert Waste to be removed from the waste stream and not disposed of in a solid waste landfill generated and or recovered from the Project is substantially different from the C&DMMP, the Applicant shall submit an addendum to the original C&DMMP.

PART 6

REFUND AND RETURN OF DIVERSION SECURITY DEPOSITS

Sections:

- 15.46.600 APPLICATION FOR REFUND
- 15.46.610 DOCUMENTATION OF CONSTRUCTION AND DEMOLITION MATERIAL DIVERSION
- 15.46.620 DETERMINATION OF COMPLIANCE AND RELEASE OF DIVERSION SECURITY DEPOSIT

15.46.600 APPLICATION FOR REFUND. Within 180 days after the completion of any Covered Project, the Applicant may submit to the Director of Field Services, or the Director's Designee documentation that the Applicant has met the Diversion Requirement for the Project and apply for a refund of the Diversion Security Deposit. This documentation may include all of the following:

A. Receipts and gate tickets from the vendor or facility which collected or received C&D Material showing the actual weight of that material or, in the case of Inert Waste, removed from the solid waste stream and not disposed of in a solid waste landfill;

B. A copy of the previously approved C&DMMP for the Project adding the actual volume or weight of each type of C&D Material diverted and trans-

ported for disposal in a landfill or transformation facility, or, in the case of Inert Waste, removed from the solid waste stream and not disposed of in a solid waste landfill; and

C. Any additional information the Applicant believes is relevant to determining its efforts to comply in good faith with this Chapter.

15.46.610 DOCUMENTATION OF CONSTRUCTION AND DEMOLITION MATERIAL DIVERSION. Applicants shall make reasonable efforts to ensure that all C&D Materials diverted, or delivered to disposal facilities for disposal, are measured and recorded using the most accurate method of measurement reasonably available. To the extent practical, all C&D Materials, and Inert Waste to be removed from the waste stream and not disposed of in a solid waste landfill, shall be weighed on scales. Such scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For C&D Materials for which weighing is not practical due to small size or other considerations, a volumetric measurement shall be used. For conversion of volumetric measurements to weight, the Applicant shall use standardized Conversion Rates approved by the City for this purpose. Documentation of the foregoing shall consist of photocopies of receipts, weight tickets, gate tickets, and other records from recycling facilities, Deconstruction contractors, solid waste enterprises and disposal facilities.

15.46.620 DETERMINATION OF COMPLIANCE AND RELEASE OF DIVERSION SECURITY DEPOSIT. The Director of Field Services, or the Director's Designee shall review the information submitted under § 15.46.600 and determine whether the Applicant has complied with the Construction and Demolition Materials Management Plan, as follows:

A. Full Compliance. If the Director of Field Services, or the Director's Designee determines that the Applicant has fully complied with the Construction and Demolition Materials Management Plan applicable to the Project, the Director of Field Services, or the Director's Designee shall cause the full Diversion Security Deposit to be released to the Applicant.

B. Good Faith Effort to Comply. If the Director of Field Services, or the Director's Designee determines that the Construction and Demolition Materials Management Plan has not been complied with, the Director of Field Services, or the Director's Designee shall determine whether the Applicant made a good faith effort to comply with this Chapter. In making this determination, the Director of Field Services, or the Director's Designee shall consider the availability of markets for the C&D Materials transported for disposal in a landfill or transformation facility, the size of the Project, and the documented efforts of the Applicant to divert C&D Materials and remove Inert Waste from the waste stream. If the Director of Field Services, or the Director's Designee determines that the Applicant has made a good faith effort to comply with this Chapter, the Director of Field Services, or the Director's Designee shall approve the release of the Diversion Security Deposit, or a portion thereof, to the Applicant. Any portion of the

Diversion Security Deposit not released to the Applicant shall be forfeited to the City, and shall be used for the purposes of promoting recycling within the City.

C. Noncompliance. If the Director of Field Services, or the Director's Designee determines that the Applicant has not made a good faith effort to comply with this Chapter, or if the Applicant failed to submit the documentation required by § 15.46.600, above, within the required time period, then the Diversion Security Deposit shall be retained by the City.

D. Partial Refund. The Director of Field Services, or the Director's Designee may authorize a partial refund when the Diversion Requirement has not been met. Any partial refund shall be in the same ratio as the demonstrated amount of diverted C&D Waste and Inert Waste, respectively, waste bears to fifty percent (50%) by weight.

E. Refund of Erroneous Payment. The Director of Field Services, or the Director's Designee may authorize the refund of any Diversion Security Deposit which was erroneously paid or collected.

F. Withdrawal of Permit Application. The Director of Field Services, or the Director's Designee may authorize the refund of any Diversion Security Deposit if the permit application for a Covered Project is withdrawn or cancelled before any work has begun.

G. Diversion Security Deposits retained by the City may be used only for:

1. Payment of Diversion Security Deposit Refunds;
2. Costs of administration of the program established by this Chapter; and
3. Cost of programs to achieve diversion of Construction Materials from disposal at disposal facilities.

PART 7

CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN EXEMPTIONS

Sections:

15.46.700	APPLICATION
15.46.710	MEETING WITH DIRECTOR OF FIELD SERVICES, OR THE DIRECTOR'S DESIGNEE
15.46.720	GRANTING OF EXEMPTION
15.46.730	DENIAL OF EXEMPTION

15.46.700 APPLICATION. If an Applicant for a Covered Project experiences or anticipates unique circumstances that the Applicant believes make it not Feasible to comply with the Diversion Requirement, the Applicant may apply for an exemption at the time that the Applicant submits the C&DMMP required under Part 3 of this Chapter. The Applicant shall indicate on the C&DMMP the maximum rate of diversion the Applicant believes is Feasible for each material and the specific circumstances that the Applicant believes make it not Feasible to comply with the Diversion Requirement.

15.46.710 MEETING WITH DIRECTOR OF FIELD SERVICES, OR THE DIRECTOR'S DESIGNEE. The Director of Field Services, or the Director's Designee shall review the information supplied by the Applicant and may meet with the Applicant to discuss possible ways of meeting the Diversion Requirement. Based on the information supplied by the Applicant, the Director of Field Services, or the Director's Designee shall determine whether it is possible for the Applicant to meet the Diversion Requirement.

15.46.720 GRANTING OF EXEMPTION. If the Director of Field Services, or the Director's Designee determines that it is not Feasible for the Applicant to meet the Diversion Requirement, the Director of Field Services, or the Director's Designee shall determine the maximum Feasible diversion rate for each material and shall designate this rate on the C&DMMP submitted by the Applicant. The Director of Field Services, or the Director's Designee shall return a copy of the C&DMMP to the Applicant marked "Approved for Partial Exemption" and shall notify the Division of Building & Safety of the Building and Engineering Department that the C&DMMP has been approved.

15.46.730 DENIAL OF EXEMPTION. If the Director of Field Services, or the Director's Designee determines that it is possible for the Applicant to meet the Diversion Requirement, the Director of Field Services, or the Director's Designee shall deny the application for exemption and inform the Applicant in writing of the denial and the reasons for the denial. The Applicant shall have 30 days after receipt of such notification to resubmit a C&DMMP form in full compliance with this Chapter. If the Applicant fails to resubmit the C&DMMP, or if the resubmitted C&DMMP does not comply with this Chapter, the Director of Field Services, or the Director's Designee shall deny the C&DMMP, and the Building & Safety Division shall not issue a permit for that Project.

PART 8

APPEALS

Sections:

15.46.800 APPEAL
15.46.810 DECISION BY CITY MANAGER

15.46.800 APPEAL. Each Applicant shall have the right to appeal any decision made by the Director of Field Services, or the Director's Designee to the City Manager or the City Manager's designee. The Applicant must file a Notice of Appeal from the ruling of the Director of Field Services, or the Director's Designee with the City Clerk, with copy to the Director of Field Services, or the Director's Designee, not more than ten (10) calendar days of after the notice of the Director of Field Services, or the Director's Designee's decision was placed in the mail to the address provided by the Applicant. The Notice of appeal shall include all evidence and legal arguments which the Applicant wishes the City, and any reviewing court to consider.

15.46.810 DECISION BY CITY MANAGER. The decision made by the City Manager, or the City Manager's designee, shall be in writing, stating the legal and factual bases for the decision. The decision shall be final and conclusive.

PART 9

ENFORCEMENT

Sections:

15.46.900 INSPECTION
15.46.910 CIVIL ACTION
15.46.920 INFRACTION
15.46.930 ENFORCEMENT

15.46.900 INSPECTION. The City's Director of Field Services, or the Director's Designee may inspect project sites for compliance with this Chapter.

15.46.910 CIVIL ACTION. Violation of any provision of this Chapter may be enforced by any means available to the City, including, but not limited to, an action for injunctive relief. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys' fees and costs from a person who is determined by a court of competent jurisdiction to have violated this Chapter.

15.46.920 INFRACTION. Violation of any provision of this Chapter shall constitute an infraction punishable by a fine not to exceed \$100 for the first violation, a fine not to exceed \$200 for the second violation within one year, and a fine not to exceed \$500 for each additional violation within one year. An Applicant shall be guilty of a separate offense for each day during any portion of which any violation of this Chapter is committed, continued, or permitted by the Applicant. Where the violation is the failure to achieve the Diversion Requirement applicable to the Project and the C & D materials from the Project have already been transported for disposal in a landfill or transformation facility, the violation shall be deemed

to have ceased after a period of ten days. The City shall recover costs and attorneys' fees incurred in connection with enforcement of this Chapter.

15.46.930 ENFORCEMENT. Enforcement may be undertaken by the City through its Director of Field Services, or the Director's Designee and the City Attorney.

SECTION 2. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 3. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published as required by law.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2005.

_____,
MAYOR

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss
CITY OF SANTA CLARITA)

I, Sharon L. Dawson, CMC, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance No. 05-_____ was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the _____ day of _____, 2005. That thereafter, said ordinance was duly passed and adopted at a regular meeting of the City Council on the _____ day of _____, 2005 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

CITY CLERK